

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

COLIN CHRISTOPHER FELTON,

Plaintiff,

v.

JAY L. SMITH,
JOSEPH J. SPITZ and
TEEL PLASTICS INC.,

Defendants.

ORDER

09-cv-180-slc

In this civil action for injunctive and monetary relief plaintiff Colin Felton, who is proceeding pro se, is suing defendants for allegedly breaching a confidentiality agreement regarding confidential information owned by Teel-Global Resource Tech LLC, a company in which plaintiff is a 30% shareholder. In addition, plaintiff brings a state law claim of negligence against defendant Smith for allegedly failing to properly test materials resulting in termination of an agreement between Teel-Global Resource Tech LLC and a building products company. Plaintiff has paid the \$350 fee for filing this action.

The next step is for plaintiff to serve his complaint on the defendants. Under Fed. R. Civ. P. 4(m), a plaintiff has 120 days after filing a complaint in which to serve the defendant. However, that is an outside limit with few exceptions. This court requires that a plaintiff act diligently in moving his case to resolution. If plaintiff acts promptly, he should be able to serve his complaint on the defendants well before the deadline for doing so established in Rule 4.

To help plaintiff understand the procedure for serving his complaint, I am enclosing with this order copies of documents titled "Procedure for Serving a Complaint on Individuals in a Federal Lawsuit" and "Procedure for Serving a Complaint on a Corporation, Partnership or Unincorporated Association in a Federal Lawsuit." In addition, I am enclosing to plaintiff the

extra copies of his complaint and forms he will need to send to the defendants in accordance with the procedures set out in Option 1 of the procedures.

ORDER

IT IS ORDERED that plaintiff promptly serve his complaint on the defendants and file proof of service of his complaint as soon as service has been accomplished. If, by June 1, 2009, plaintiff fails to submit proof of service of his complaint on the defendants or explain his inability to do so, I will direct plaintiff to show cause why his case should not be dismissed for lack of prosecution.

Entered this 1st day of April, 2009.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge